

**CITY OF SEATTLE
DETERMINATION OF NON-SIGNIFICANCE BY
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Applicant Name: The Department of Planning and Development

Address of Proposal: Various sites within the Ballard Hub Urban Village

SUMMARY OF PROPOSED ACTION

The proposal is to change the zoning on approximately 20.2 acres of land in the Ballard Hub Urban Village from IB U/45, IB U/65, IG2 U/65, C1-65, and a small portion of MR to NC2-40, NC3-65, and IC U/65, and a small portion of L3. Additionally, all IC parcels within designated Urban Villages and Urban Centers would be required to meet a Green Factor requirement of .30 and would be subject to Design Review.

The following approval is required:

SEPA - Environmental Conditions - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

BACKGROUND DATA

Background

In December, 2007, the City Council adopted Resolution 31026, which directed the Department of Planning and Development (DPD) to examine the boundaries of industrial-zoned land. The Council also adopted an amendment to the City's Comprehensive Plan which discourages certain industrial zones within Urban Villages. This proposed set of text amendments focuses on industrial zones within Ballard. (Fremont and Eastlake are the other Urban Villages that contain industrial zones.)

Proposal Description

The proposed rezones focus on industrial land with the Ballard Hub Urban Village, in three subareas:

Subarea 1: The north side of NW Market Street between 24th Avenue NW and 30th Avenue NW. This area currently is zoned Industrial Buffer (IB) U/45 and Commercial 1 (C1)-65. Subarea 1 is approximately 3.5 acres and is proposed to be rezoned to Neighborhood Commercial 2 (NC2)-40 and NC3-65 (see Attachment A).

Subarea 2: The south side of NW Market Street between one parcel east of 26th Avenue NW and 30th Avenue NW. This area currently is zoned General Industrial 2 (IG2) 65. Subarea 2 is approximately 5.9 acres and is proposed to be rezoned to IC U/65 (see Attachment B).

Subarea 3: Parcels on both side of Leary Avenue NW and on the north side of NW Leary Way between 15th Avenue NW and 20th Avenue NW. This area currently is zoned IB-65, IG2-65 and C1-65. Subarea 3 is approximately 10.8 acres and is proposed to be rezoned to IC U/65 (see Attachment C).

Additionally, zoning lines currently do not correspond to lot lines on a few parcels in Subareas 1 and 3, as shown on Attachments A and C; the text amendments would adjust the zoning on these parcels to eliminate the split zones.

In addition to the rezone recommendations, the text amendments would require Design Review for any new multifamily, commercial or industrial development proposal exceeding 12,000 square feet of nonresidential gross floor area in an IC zone within an Urban Village or Urban Center. The text amendments also would require all properties zoned IC within an Urban Village or Urban Center to achieve a Green Factor score of .30 or greater.

Public Comments

In developing these recommendations, DPD staff worked with a stakeholder group, which included representatives from the Chamber of Commerce, industry, real estate, small businesses, and residential developments. The staff presented preliminary recommendations to the Ballard District Council and the BINMIC Action Team. Both organizations provided comments and input on the proposed recommendations. DPD also hosted a public open house to answer questions and solicit feedback from impacted property owners and neighbors. Approximately 34 people attended the open house. In addition, DPD staff received seven comments regarding the proposal.

Proposed changes to the Land Use Code require City Council approval. Public comment will be taken on the proposed amendments during future Council hearings.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist dated October 31, 2009. The information in the checklist, the Director's Report and Recommendation, a copy of the proposed text changes, and the experience of the lead agency with review of similar legislative actions form the basis for this analysis and decision.

Short-term Impacts

As a non-project action, the proposed amendment will not have any short-term impact on the environment. Future development affected by this legislation and subject to SEPA will be required to address short-term impacts on the environment.

Long-term Impacts

Most long-term impacts of this code amendment are expected to be minor. Impacts to noise, light and glare, energy, air quality (including greenhouse gas emissions), and most public services and facilities may slightly increase, due to larger structures and greater levels of activity on various sites, but are not expected to be substantial. Any expansion of 12,000 square feet or more (4,000 square feet or more in the Neighborhood Commercial zones) or the creation of more than 4 dwelling units will be subject to project-level SEPA review, which will allow for more focused review of environmental impacts of individual developments. In addition, projects expanding under the provision of this code amendment will need to comply with existing codes and regulations, including the Land Use Code, Environmentally Critical Areas regulations, and the Stormwater, Grading and Drainage Control Code.

The most likely adverse impacts of the proposed amendment would be to land use; height, bulk, and scale; and traffic and transportation. The proposed amendments respond to some of these potential impacts by codifying mitigation. These topics are discussed further below.

Land Use

The Land Use SEPA policy states, in part, that "it is the City's policy to ensure that proposed uses in development projects are reasonably compatible with surrounding uses and are consistent with any applicable, adopted City land use regulations, the goals and policies set forth in Section B of the land use element of the Seattle Comprehensive Plan regarding Land Use Categories, and the shoreline goals and policies set forth in section D-4 of the land use element of the Seattle Comprehensive Plan for the area in which the project is located". The uses that would be allowed under the proposed rezones are expected to be reasonably compatible with uses in adjacent zones. Properties that are adjacent to Subarea 1 largely are zoned residential and are developed with multifamily residential structures. The uses that would be allowed in the Neighborhood Commercial zones in this subarea would generally be compatible with these multifamily uses, and developments in the NC2 and NC3 zones also may include a substantial component of multifamily development. Proposed uses in potential developments in subareas 2 and 3 would be largely the same under the new zoning (IC) as under current zoning (primarily IG2 and IB). No incompatibilities with surrounding uses would be introduced by this text amendment.

Existing land uses within the areas to be rezoned are generally consistent with the proposed zoning categories; only two nonconforming parcels would be created by these text amendments (both in Subarea 1). Due to its recommended transition from an industrial to a commercial zone, Subarea 1 will require an amendment to the Comprehensive Plan's Future Land Use Map prior to City Council approval of the proposed rezone. With that approval, the proposed rezones in each of the subareas would be consistent with the goals and policies in Section B of the land use element of Seattle's Comprehensive Plan. Key land use goals for industrial areas that would be met by these rezones include LUG 23 ("Accommodate the expansion of existing businesses within Seattle, thereby stabilizing the city's existing industrial areas. Promote opportunities for new businesses that are supportive of the goals for industrial areas") and LUG 29 ("Accommodate a mix of diverse, yet compatible, employment activities in Seattle's industrial areas"). The rezones also meet land use policies LU 147.1 ("IG zones are most appropriately located in the designated manufacturing/industrial centers, where impacts from the types of industrial uses these zones permit are less likely to affect residential or commercial uses") and LU 147.2 ("Industrial zones are generally not appropriate within urban centers or urban villages, since these are places where the City encourages concentrations of residential uses. However, in locations where a center or village abuts a manufacturing/industrial center, the IC zone within the center or village may provide an appropriate transition to help separate residential uses from heavier industrial activities").

One parcel within Subarea 2 is partially within the Shoreline District. That portion of the lot is within the Ship Canal shoreline area, and is designated Urban Industrial. Section D-4 of the land use element of the City's Comprehensive Plan identifies one relevant objective for this shoreline area: "Retain and encourage the important role that the Ship Canal plays in state, regional, and local fisheries by reserving the Ship Canal primarily for water-dependent and water-related uses. Non-water-dependent uses shall be restricted, prohibited, or allowed only on a limited basis by the selection of shoreline environments that favor water-dependent uses". The Shoreline District chapter (SMC 23.60) of the City's Land Use Code regulates land uses for each shoreline zone. In the Urban Industrial zone, uses may be permitted outright, permitted as special or condition uses, or prohibited. This proposed rezone does not change these permitted and prohibited uses, and development occurring pursuant to these rezones would continue to be consistent with the objective stated in Section D-4.

The parcels being rezoned will be subject to design review, either because they would be rezoned to Neighborhood Commercial (for which design review already is required), or because they would be rezoned to Industrial Commercial; these text amendments will require design review for projects on parcels zoned IC when in urban villages or urban centers. Design review considers the context and character of surrounding development in applying City design guidelines, thus providing some opportunity to reduce incompatibility between new development proposals and development that may occur on adjacent parcels. It is not anticipated that the proposed text amendments will result in significant land use impacts, pursuant to SMC 25.05.675 J.

Height, Bulk, and Scale

In general, height, bulk and scale of projects developing pursuant to the proposed rezones would not be substantially different than what could be built under current zoning. The maximum height for two parcels in subarea 1 would increase from 45' to 65'. The rezones also could lead to slightly larger structures on most parcels in subarea 1, as the maximum floor-area ratio would increase from 2.5 to 3.0, or 3.25 for mixed-use development. Larger buildings also could result from the increase in size limits in IC zones for retail and lodging/entertainment uses, and the removal of size limits for office uses, compared to IG2 and IB.

Bulk and scale impacts of projects proposed pursuant to this code amendment will be addressed by the City's design review process, which, as noted above, would apply to parcels in the IC zone as well as in the NC zone. Specific height, bulk and scale impacts of particular projects will be determined at the time of project-specific SEPA review. The text amendments are not expected to have a significant impact on height, bulk, and scale, pursuant to SMC 25.05.675 G.

Transportation

The proposed text amendments will increase development capacity on various parcels in the affected area, primarily by increasing or removing size limits for certain uses (such as retail, office, and lodging/entertainment). Projects developing pursuant to these rezones may generate higher volumes of traffic and have greater transportation impacts than projects proposed under the current zoning. However, traffic from the affected parcels would be expected to disperse across a variety of arterials (NW Market Street, 24th Avenue NW, Shilshole Avenue NW, Leary Avenue NW, 20th Avenue NW, and 15th Avenue NW). This would spread the increased traffic across a wide area and likely would not create substantial impacts on any one roadway corridor. In addition, Metro bus service is available on several of these arterials and is likely to shift a portion of the potential increased auto trips to transit. The nearby Burke-Gilman Trail may do the same for bicycle trips.

The transportation impacts of individual projects developing pursuant to these proposed text changes will be evaluated through SEPA review at the time of permit applications; if appropriate, mitigation will be required at that time. The text amendments are not expected to have a significant impact on traffic and transportation, pursuant to SMC 25.05.675 R.

Conclusion

The proposed code amendments to modify zoning in three subareas of the Ballard Hub Urban Village, to require design review for development in Industrial Commercial zones in urban villages and urban centers, and to require development in these zones to meet a Green Factor of at least .30 are not expected to have significant adverse impacts. The allowed height, bulk, and scale of development on most of the affected parcels will not substantially increase over what is allowed by current zoning. Design review will be required of projects over the size threshold, reducing potential height, bulk, and scale impacts. Increased trips will be spread across the existing network of arterials in this area of Ballard, reducing impacts on any one corridor; additionally, Metro Transit and the Burke-Gilman Trail provide non-auto alternatives for travel to and from sites in the rezoned areas. Developments over the SEPA threshold will be subject to

project-level SEPA review; mitigation based on that review would further reduce impacts from projects developing pursuant to these code amendments.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

RECOMMENDED CONDITIONS – SEPA

None.

Signature:_____signature on file_____ Date:_____
John Shaw, Land Use Planning and Development Analyst
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